

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

LANDMARK AMERICAN
INSURANCE COMPANY,

Plaintiff,

v.

THE BARTON LAW GROUP, LLC; DENNIS)
J. BARTON; TITLE LOAN COMPANY)
d/b/a THE LOAN MACHINE.)

Defendants.)

Case No. 4:19-cv-3204

MEMORANDUM AND ORDER

This matter is before the Court following assignment to the undersigned. The Eighth Circuit has admonished district courts to “be attentive to a satisfaction of jurisdictional requirements in all cases.” *Sanders v. Clemco Indus.*, 823 F.2d 214, 216 (8th Cir. 1987). “In every federal case the court must be satisfied that it has jurisdiction before it turns to the merits of other legal arguments.” *Carlson v. Arrowhead Concrete Works, Inc.*, 445 F.3d 1046, 1050 (8th Cir. 2006). “A plaintiff who seeks to invoke diversity jurisdiction of the federal courts must plead citizenship distinctly and affirmatively.” 15 James Wm. Moore, et al., *Moore’s Federal Practice* § 102.31 (3d ed. 2010).

The Complaint (#1) asserts that the Court has jurisdiction over the action under 28 U.S.C. § 1332 because the lawsuit is between citizens of different states and the matter in controversy exceeds \$75,000. The Complaint alleges that defendant Barton Law Group

is an LLC and that its sole member is an attorney licensed to practice law in the State of Missouri.

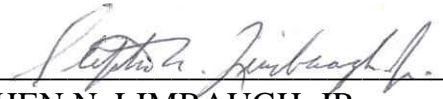
The Eighth Circuit has held that limited liability companies are citizens of every state of which any member is a citizen. *See GMAC Commercial Credit, LLC v. Dillard Dep't Stores, Inc.*, 357 F.3d 827, 829 (8th Cir. 2004). The information provided by the complaint is insufficient for the Court to examine the citizenship of defendant Barton Law Group. The Court will grant plaintiff twenty-one days to file an amended complaint that alleges facts showing the required diversity of citizenship.

Accordingly,

IT IS HEREBY ORDERED that, by December 30, 2019, plaintiff shall file an amended complaint in accordance with this memorandum.

IT IS FURTHER ORDERED that all other proceedings in this case are **STAYED** pending further order of this Court.

Dated this 9th day of December, 2019.



STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE